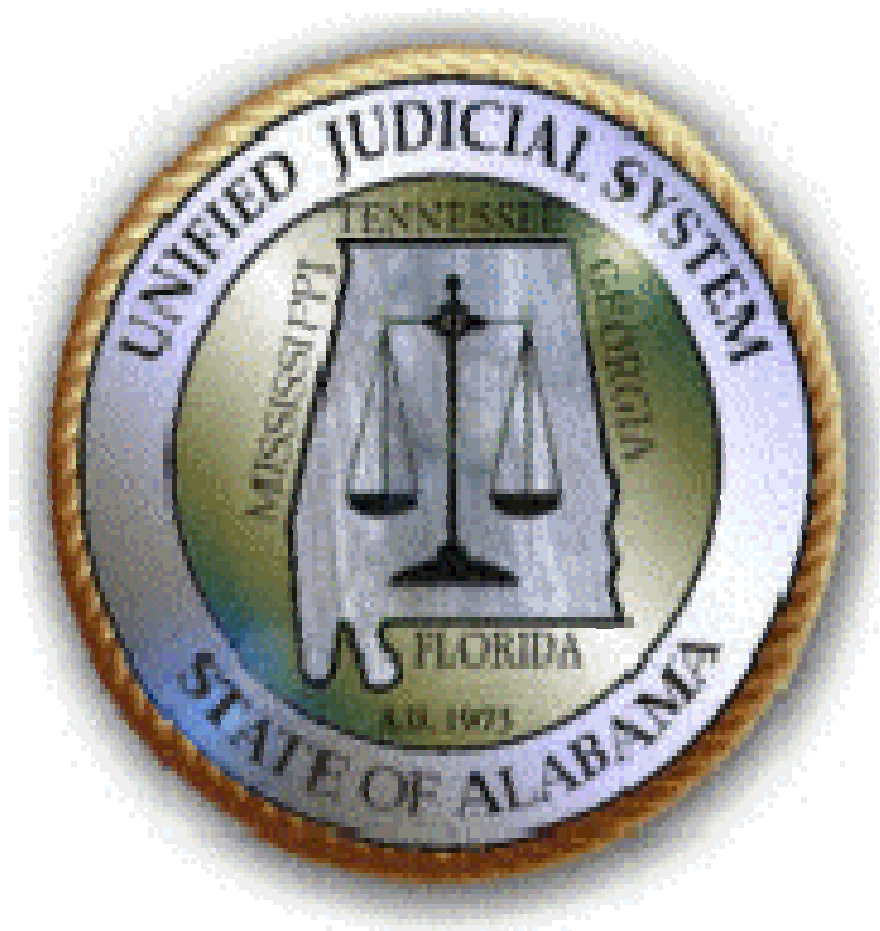


State of Alabama

UNIFIED JUDICIAL SYSTEM



EMPLOYEE HANDBOOK

Prepared by
The Human Resources Division of the Administrative Office of Courts
Revised July 2009

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

www.alacourt.gov

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ADMINISTRATIVE OFFICE OF COURTS
300 Dexter Avenue
Montgomery, Alabama 36104-3741
(334) 954-9411

Sue Bell Cobb
Chief Justice

Callie T. Dietz
Administrative Director of Courts

July 1, 2009

Dear Fellow Employees of the Unified Judicial System:

I bid you a heartfelt welcome to the Unified Judicial System. You are now part of the judicial branch of government which provides trial court services to the citizens of Alabama. Your counterparts are in every courthouse in the State. The Alabama Unified Judicial System is one of the best in the nation because of dedicated individuals like you who have a commitment to excellence.

Your role is not just a job--you are a public servant. Every day you will have the opportunity to make a difference in the lives of the people you serve. In many instances, you may be the only contact a citizen has with the court system and your actions will forever shape what that person thinks about our courts. I ask that you take your role seriously by offering the public courteous and efficient service, and by being a patient and understanding listener. The golden rule, "do unto others as you would have them do unto you," goes a long way toward that goal.

The responsibilities that have been entrusted to you as an employee of the Unified Judicial System are enormous and rewarding. Use these opportunities wisely and you will find that you not only help others, but yourself as well. I look forward to our tenure within the UJS and to serving the people of Alabama side-by-side.

Thank you for your willingness to serve others.

Sincerely,

Callie T. Dietz,
Administrative Director of Courts

INTRODUCTION

This Handbook provides a quick reference to Unified Judicial System (UJS) policies, procedures, and benefits and will hopefully answer any potential questions you may have regarding your employment. This handbook is not a contract, expressed or implied, and it cannot be altered by your supervisor or administrator to become one. No handbook can anticipate every circumstance or question, and, from time to time, procedures and guidelines may be altered in response to mandated changes. The Administrative Office of Courts (AOC) reserves the right to alter, modify, amend, or terminate the provisions of this handbook at any time. If you have additional questions about your job, you should direct them to your immediate supervisor.

More detailed information about personnel policies and procedures is contained in the UJS Personnel Procedures Manual, a copy of which is located in the office of each administrator.

After you have read your Handbook, complete the lower portion of this sheet and return it to:

AOC Human Resources Division
Helflin-Torbert Judicial Building
300 Dexter Avenue
Montgomery, Alabama 36104

----- Cut here -----

EMPLOYEE ACKNOWLEDGEMENT

I acknowledge that I have received a current copy of the Unified Judicial System (UJS) Employee Handbook. I agree to familiarize myself with the information in the handbook and the guidelines therein. I understand that the Handbook is only intended to be a general statement of current policies, procedures, and benefits that may change periodically. I also understand that the Handbook is not a contract of any kind and cannot be altered to become one.

As an employee of the UJS, I understand that I may have access to privileged and confidential information protected by law, and I agree to keep this knowledge within the professional confines of the office where I work. Likewise, I understand that I may not give legal advice or assist in the preparation of legal documents.

Employee Signature

Date

Employee Name (type or print)

County

Name of Administrator (type or print)

VISION STATEMENT

The AOC is committed to efficiently administering the internal operations of the judicial system by supporting court officials and employees through innovative management, accountability, education, and service to facilitate justice.

HISTORY

In 1975, the Alabama Legislature passed Act 1205 (later codified as Title 12, Code of Alabama, 1975), thereby creating the Alabama Unified Judicial System. Prior to passage of this Act, all trial court employees were county employees.

On October 1, 1977, these county employees became State employees (Circuit and District Judges, Circuit Clerks, Court Specialists, and Official Court Reporters were assumed by the State on January 16, 1977). State assumption meant uniform classifications for all court positions, uniform benefits, (including health insurance, retirement and leave accrual), and a uniform pay scale. On October 1, 2000, per Act 98-392, over 270 Juvenile Probation Service employees in 62 counties were transitioned from county to State employment.

Each elected/appointed official is the appointing authority for his or her office staff, with the AOC as the employer. Some employees are "confidential", aka "non-merit", meaning they are at-will appointees, and some are "merit", meaning they have completed a competitive recruitment process and have certain rights of tenure and appeal.

The AOC provides certain services for UJS officials and employees, now numbering over 2,400 statewide. These services include, for example, a centralized Human Resources Division (Personnel and Payroll), Finance Division (Purchasing, Budget and Expense Accounting, and Property Management), a Legal Division (including Municipal Courts and Legislation), Court Services and Information Technology Division, Family Courts Division, the Alabama Sentencing Commission, the Judicial Study Commission, and Judicial Education for officials, employees, and the public.

Through innovation, automation, and its dedicated employees, the judicial branch of government serves the citizens of the State in an exemplary manner. The Alabama UJS serves as a model for the nation.

EMPLOYEE RELATIONS

Equal Employment Opportunity

It is a fundamental policy of the UJS not to discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or disability with respect to recruitment, hiring, training, promotion, and other terms and conditions of employment.

It is the policy of the UJS to base decisions on employment solely upon an individual's qualifications relating to the requirements of the position for which the individual is being considered: recruit, hire, and promote the best qualified persons for all jobs without regard to race, color, religion, sex, sexual orientation, marital status, national origin, age, handicap, or disability.

The UJS goal is to ensure that all personnel actions such as compensation, benefits, transfers, layoffs, state-sponsored training, promotions, terminations, and disciplinary actions are applied equally. UJS Officials and employees authorized to take, direct others to take, recommend, or approve any personnel action may not:

- (1) discriminate against an employee or applicant based on race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation;
- (2) solicit or consider employment recommendations based on factors other than personal knowledge or records of job-related abilities or characteristics;
- (3) coerce the political activity of any person;
- (4) deceive or willfully obstruct anyone from competing for employment;
- (5) influence anyone to withdraw from competition for any position so as to improve or injure the employment prospects of any other person;
- (6) give an unauthorized preference or advantage to anyone so as to improve or injure the employment prospects of any particular employee or applicant; engage in nepotism (*i.e.*, hire, promote, or advocate the hiring or promotion of relatives);
- (7) engage in reprisal for whistle-blowing – *i.e.*, take, fail to take, or threaten to take or fail to take a personnel action with respect to any employee or applicant because of any disclosure of information by the employee or applicant that he or she reasonably believes evidences a violation of a law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety (if such disclosure is not barred by law and such information is not specifically required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs – if so restricted by law or Executive Order, the disclosure is only protected if made to the Special Counsel, the Inspector General, or comparable agency official);
- (8) take, fail to take, or threaten to take or fail to take a personnel action against an employee or applicant for exercising an appeal, complaint, or grievance right; testifying for or assisting another in exercising such a right; cooperating with or disclosing information to law enforcement or the Special Counsel or to an Inspector General; or refusing to obey an order that would require the individual to violate a law;

- (9) discriminate based on personal conduct which is not adverse to the on-the-job performance of an employee, applicant, or others;
- (10) take or fail to take, recommend, or approve a personnel action if taking or failing to take such an action would violate a veterans' preference requirement; and
- (11) take or fail to take a personnel action, if taking or failing to take action would violate any law, rule or regulation implementing or directly concerning merit system principles at [5 U.S.C. § 2301](#).

To that end, the UJS is committed to personnel procedures and practices in recruitment, testing, selection, appointment, promotion, and retention that foster equal employment opportunity for all persons in the UJS.

Title VII of the Civil Rights Act of 1964

The Title VII of the Civil Rights Act of 1964 is a federal law expressing a national policy against discrimination on the basis of race, color, national origin, religion, or sex in employment including hiring, promotion, discharge, pay, and fringe benefits. The Equal Employment Opportunity Act of 1972 extended Title VII to cover federal, state, and local public employers. The Equal Employment Opportunity Commission (EEOC) oversees the application of Title VII.

The Age Discrimination in Employment Act of 1967

The Age Discrimination in Employment Act of 1967 (ADEA) protects certain applicants and employees 40 years of age and older from discrimination on the basis of age in hiring, promotion, discharge, compensation, or terms, conditions or privileges of employment. The ADEA is enforced by the Equal Employment Opportunity Commission (EEOC).

Sexual Harassment

Discrimination on the basis of sex is a violation of Title VII. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and any other verbal or physical conduct of a sexual nature from or involving an employee's supervisors, peers, subordinates, or any other person in contact with an employee during the course of the conduct of the employee's business when:

- 1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
- 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
- 3. Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. (See Appendix A)

Americans with Disabilities Act of 1990 (ADA)

The Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability and protects qualified applicants and employees with disabilities from discrimination based on disability in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment.

An individual with a disability as defined by the ADA is one who has:

1. a physical or mental impairment that substantially limits one or more of the major life activities of the individual; or
2. a record of such impairment; or
3. is regarded as having impairment.

The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations that do not impose undue hardship on the employer.

Family and Medical Leave Act of 1993 (FMLA)

FMLA requires employers to provide up to 12 weeks of unpaid, job-protected leave during a calendar year to eligible employees. Unpaid leave may be granted:

1. for the birth and care of the newborn child of the employee;
2. for placement with the employee of a son or daughter for adoption or foster care;
3. to care for an immediate family member (spouse, child, or parent) with a serious health condition; **or**
4. to take medical leave when the employee is unable to work because of a serious health condition.

Paid leave may be substituted for unpaid leave. FMLA leave is not a "special" type of leave, but runs concurrent with any approved leave, whether paid (sick, annual) or unpaid (leave-without-pay). Employers may require a 30-day advance notice when the leave is foreseeable and may require medical certification of a serious health condition. While the employee is on FMLA leave, the AOC will maintain the employee's health insurance and will restore the employee to his or her original (or equivalent) position upon his or her return. (See Appendix B)

The Family and Medical Leave Act and National Defense Authorization Act (NDAA) 2008

On January 28, 2008, President Bush signed into law H.R. 4986, the National Defense Authorization Act for FY 2008. Among other things, section 585 of the NDAA amends the Family and Medical Leave Act of 1993 (FMLA) to permit a "spouse, son, daughter, parent, or next of kin" to take up to 26 workweeks of leave to care for a "member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness." The NDAA also permits an employee to take FMLA leave for "any qualifying exigency (as the Secretary [of Labor] shall, by regulation, determine) arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation." (See Appendix B)

Nepotism Policy

The purpose of this policy is to avoid any instance of real or perceived partiality or undue influence which might arise in the work situation due to a family relationship of employees. Therefore:

1. No person shall be employed in a direct supervisory relationship with a spouse, a relative or relative of a spouse who is within the 1st through 4th degree of relationships (see note below). No person shall participate in the hiring process where a relative or a relative of a spouse who is within the 1st through the 4th degree of relationships is an applicant.

If a change in marital status results in non-compliance with this policy, the local administrator should contact the AOC for a directive within 30 days of the change.

2. Employment relatives within the 1st through the 4th degree relationship under the supervision of a single supervisor is discouraged.

Note: The definitions of family relationships are:

- 1st Degree – Parents, children, spouses, mother in-law, father in-law.*
- 2nd Degree – Grandparents, grandchildren, brothers, sisters, brother in-law, sister in-law.*
- 3rd Degree - Aunts, uncles, nephews, nieces, great-grandparents.*
- 4th Degree – Great great-grandchildren, grand niece/nephew, first cousin, great aunt/uncle, great great-grandparent.*

Complaint Procedure

If an employee or applicant feels they have been a victim of discrimination, he/she may file a complaint. A complaint by an employee should be addressed to the employee's supervisor; if the supervisor is the subject of the complaint, it should be addressed to the appointing authority; if the appointing authority is the subject of the complaint, or if for any reason the employee is unable to follow this process as outlined, it should be addressed to the Judicial Human Resources Director. Complaints from applicants may also be filed directly with the Judicial Human Resources Director, who also serves as the EEO Officer.

The complaint should contain the following:

- The type of discrimination that occurred.
- Where and when the discrimination occurred.
- The name(s) of the person(s) charged with discrimination.
- The names of witnesses, if any.

More detailed information on this topic may be found in Chapter XVI, "Equal Employment Opportunity," in the UJS Personnel Procedures Manual.

EMPLOYMENT

Background Investigations

Pursuant to the authority of the Administrative Director of Courts (ADC) as provided by Code of

Alabama 1975, §12-5-10, and Rule 9 of the Alabama Rules of Judicial Administration, the ADC hereby directs as follows:

Beginning February 18, 2008, it shall be the policy of the UJS and the AOC to require all applicants seeking employment or requesting to provide volunteer services ("applicants") with or for Alabama's UJS or with the AOC to consent in writing to a full criminal background check or investigation, and for the UJS/AOC to conduct a criminal background check or investigation prior to determining whether to extend an offer of employment to any applicant.

No offer can or shall be made to any applicant until the results of the criminal background check or investigation are found in writing to be acceptable to both the appointing authority and the UJS Human Resources Director. (See Appendix E)

Merit Appointments

Merit appointments in the UJS are generally appointments to Court Specialist positions. These positions are filled by qualified applicants, through competitive recruitment, from established registers. To qualify for inclusion on a Court Specialist register, you must meet the minimum education and training requirements for the class and must pass a written test. Court Specialist (merit) positions in the UJS are located in the offices of Circuit and District Clerks throughout the State.

Confidential Appointments (Non-merit)

Confidential appointments are primarily appointments in the Judicial Assistant, Court Attendant, Juvenile Probation Officer, UJS Law Clerk classes, AOC employees, Court Administrators and any other positions not specified herein. Appointees differ from merit employees in that they are at-will employees and have no rights of tenure or appeal. They are, however, entitled to other fringe benefits, such as retirement, leave, health insurance, etc., that merit employees accrue. Confidential positions are located in the offices of Circuit and District Judges, Court Administrators, Juvenile Probation, and the AOC.

Probationary Period

For all new employees, a probationary period of not less than six months is required. Employment may be terminated at any time during this period if your work performance, work habits, or conduct are judged unsatisfactory by your appointing authority. At the request of your appointing authority, your probationary period may be extended for an additional three months. At the end of the extended probationary period the employee will either gain permanent status or is dismissed with cause.

After an employee completes his/her probationary period, merit system employees are considered to have gained "permanent status" in a class. Merit system employees with permanent status may be dismissed for cause only. Confidential employees, who serve at the pleasure of their appointing authority, also serve a probationary period, but their status as at-will employees is such that they may be separated at any time during their tenure utilizing the progressive disciplinary policy.

Employees who are promoted also serve a six-month probationary period in the higher class. If an employee is promoted and fails to pass the probationary period, he/she may be demoted to a position in the class in which he or she formerly held permanent status. If no position is available,

the employee is "Terminated without Prejudice" and his or her name shall be placed on a reinstatement register.

Temporary Appointments

Temporary appointments are generally made for a period of up to six months and, depending on circumstances, may be extended for up to one year. The period of temporary service is not counted as part of the probationary period for a subsequent "permanent" appointment. Also, temporary appointees are not eligible for fringe benefits (except for sick leave) and may be separated from service at any time. Temporary appointments are generally in the class of UJS Clerical Aide or Clerk I positions.

EMPLOYEE PERFORMANCE EVALUATIONS

Performance evaluations are a tool used to evaluate and record your performance on the job. These written evaluations are used for the following purposes:

1. For your supervisor to let you know how you are doing, to discuss your strong or weak points, and to let you know if improvements are expected.
2. As a time for you to provide "feedback" to your supervisor on any problems you may have encountered or to make suggestions for improvements.
3. As a factor in calculating your score on promotional registers. (merit employees only)
4. In determining if a merit salary increase is given and how much.

Written evaluations are required for all UJS employees. All periods of employment must be evaluated. Written evaluations of performance are completed at the following times:

Initial Probationary Report: At the end of three months of service following original (merit), confidential, conditional, promotional, reinstatement (when reinstated with an appointing authority for whom the employee has never worked), trainee, and demotion (for cause only) appointments. No salary increase is due in conjunction with Initial Probationary Reports.

Final Probationary Report: Not later than 15 days prior to the completion of the probationary period. Employees may be awarded up to a two-step salary increase upon completion of the probationary period. However, probationary raises are always at the discretion of the administrator and are based on the numerical evaluation score, as are annual raises.

Annual Report: Due the month prior to completion of 12 months of service following the final probationary report and annually thereafter.

Special Performance Reports: This type evaluation is completed three months following an overall rating of *partially meets standards* or *does not meet standards*. Two consecutive ratings of *does not meet standards* constitute the basis for dismissal for cause, and the administrator must institute termination proceedings.

Upon Promotion Reports: An evaluation form is completed to cover the period of service since the last evaluation, provided it has been 90 days or more since the last evaluation.

Employees may review their employee performance records locally in the office of the appointing authority. UJS employees may also view their performance evaluations in HR Desktop.

PAY INFORMATION

Pay Periods

UJS employees are paid in arrears. Therefore, an employee must work an entire pay period (or portion of a pay period), and then be paid for that time on the scheduled pay date. Because of this, a new employee may not receive a check until up to as late as four weeks from the date of employment. Upon separation from State service, the employee will receive their last check two weeks (or more) after their date of separation.

Elected and appointed officials including Official Court Reporters are paid on a half-monthly basis, 24 times per year, on a current basis (not in arrears).

Each appointing authority is furnished copies of calendars that identify the first and last days of each pay period and each payday.

Required Payroll Deductions

The state warrant (pay stub) you receive itemizes amounts deducted for state and federal taxes, social security (FICA), and retirement. When applicable, city and county taxes are itemized under "other tax."

Elective Payroll Deductions

The State Comptroller approves certain deductions to be made from state employees' pay. The Payroll Section at the AOC keeps a list of agencies, composed primarily of insurance companies, which are approved for deductions. The AOC does not provide payroll deduction forms for the purpose of initiating this type of payroll deduction. To pay premiums by payroll deduction to one of the agencies on the approved list, you must make application through the appropriate insurance company and be placed on the monthly invoice submitted by the organization. These deductions are made from the last paycheck in the month. Other elective payroll deductions may include U.S. Savings bonds, deferred compensation, State Employees' Credit Union, association dues, donations to charity funds, and family health coverage.

If you are on leave without pay, you are responsible for making arrangements to pay for your health and other insurance premium payments by making direct payment to the agency or company involved.

Direct Deposit

As a condition of employment, UJS employees are required to enroll in the direct deposit program, and have their pay warrant deposited directly to their checking or savings account. Direct deposit guarantees that the funds will be available on the scheduled payday.

Direct deposit forms are included with the initial appointment paperwork and are available from the AOC Human Resources Division. When direct deposit is initiated, there is a delay of at least three pay periods before checks are automatically deposited. UJS employees may view their warrants or

pay stubs by accessing HR Desktop at <https://hrdesktop.alacourt.gov>.

UJS Pay Plan

Each job classification in the UJS is assigned a pay grade (range) consisting of multiple “steps.” There is approximately 2.5% between steps. Employees who reach the top of their grade do not receive further annual merit raises unless they are promoted or reclassified to a higher class. However, they do continue to receive across the board cost-of-living raises as approved by the legislature. This enables employees who are at the top step to continue to increase their earnings. Cost-of-living raises are effective at the beginning of a fiscal year.

Probationary Salary Increase

After an employee has completed a six-month probationary period following an original (merit), confidential, conditional, or promotional appointment, the employee may be considered for a probationary raise of up to two steps. The amount of the probationary raise is based on your administrator's recommendation and the numerical probationary evaluation score, as in the case of annual raises.

Employees whose initial appointment rate is above the minimum for the class are not eligible for a probationary increase, but are eligible for consideration for an annual raise after they have worked for one year. Probationary raises are effective the first full pay period after completion of the six-month probation period. After an employee completes their probationary period and is given a probationary increase, that employee is eligible for consideration for an annual merit raise 12 months later.

Annual Merit Increase

Annual raises are effective the first pay period in the month of the anniversary date. The numerical score on the *Employee Performance Evaluation* determines the amount of the annual merit salary increase. The maximum annual increase is two-steps.

Performance Ratings for Merit Employees

Rating	Score	# steps *
Does Not Meet Standards	(5.4 or below)	0
Partially Meets Standards	(5.5-14.9)	0
Meets Standards	(15.0-24.9)	1
Exceeds Standards	(25.0-34.4)	2
Consistently Exceeds Standards	(34.5-40)	2

Performance Ratings for Confidential Employees

Rating	Score	# steps *
Unsatisfactory	(7-10)	0
Marginal	(11-15)	0
Average	(16-25)	1
Above Average	(26-31)	2
Excellent	(32-34)	2
Outstanding	(35)	2

*In no instance may the rating exceed the maximum rate for the class.

All salary increases are contingent upon the AOC budget and/or available State funds.

CONDITIONS OF EMPLOYMENT

Work Hours

The usual work schedule is 8:00 a.m. to 5:00 p.m., Monday through Friday, with a one-hour mid-day unpaid lunch break. To comply with the Fair Labor Standards Act, all UJS employees are required to take at least a 30-minute lunch period. Administrators may approve a mid-morning and a mid-afternoon work break, which should not exceed 15 minutes. Since work breaks are paid time (unlike the lunch break) they are considered "work time." Work breaks may not be combined with the lunch hour or be used to shorten the workday.

It is the responsibility of each supervisor and official to ensure that all full-time employees work the total number of hours designated in a pay period (for example: 80, 88, or 96 hours) or are on some type of approved leave. Working less than the designated hours per pay period is considered part-time employment, and both pay and benefits are pro-rated based on the number of hours worked. Accepting pay for any time not actually worked or on authorized leave is fraud, which is a basis for dismissal.

Overtime/Compensatory Time

Overtime is defined as hours worked (duty time) in excess of the normal 40-hour workweek. As a condition of employment, all UJS employees agree to accept compensatory time off instead of cash payment for overtime worked (more than 40 hours duty time per week). It is expected that UJS employees will be able to perform their jobs within the 40-hour workweek, and that overtime be limited to emergency situations only. **Prior written approval** of the local administrator is required before employees may work overtime. Form PERS 9, *Request and Authorization for Compensatory Time* is used to document overtime hours worked.

Each position or classification is assigned a status, either "exempt" or "non-exempt" as defined by the Fair Labor Standards Act (FLSA). Court Specialists are generally "non-exempt". When these employees are required to work (be on duty) for over 40 hours in a workweek, they receive compensatory time credit at a time-and-one-half rate. Other judicial employees are "exempt" and accrue compensatory time on an hour-for-hour basis. When calculating compensatory time, holidays not worked and approved leave hours are excluded from duty hours. UJS Law Clerks and Official Court Reporters do not accrue leave and are not eligible for compensatory time.

Compensatory time must be used within 60 days of accrual and **must be used before taking annual leave**. The Administrator may require the employee to take compensatory leave before these 60 days (Example: within pay period). No employee can be allowed to claim compensatory time in excess of 240 hours.

Note: Detailed information on overtime/compensatory time can be found at the end of Chapter VII in the UJS Personnel Procedures Manual.

Confidentiality

Because UJS employees work with court records, others may ask the employee questions about particular cases, or the employee may be tempted to disseminate information themselves. This is unprofessional behavior. It is inappropriate for the employee to discuss office business and offer personal opinions on cases filed in the trial courts due to the confidential nature of the employee's work and access to privileged information.

Additionally, access to some of the business transacted in the trial courts may be restricted, such as Juvenile, Youthful Offender, and Protection from Abuse cases. If the employee has a question about which court records fall into this classification, follow the procedure and instructions provided by the employee's supervisor or local administrator.

Employees should be mindful that they are not licensed to practice law. If the employee is asked to prepare or assist in the preparation of legal documents or to give legal advice, consult with the supervisor.

E-Mail, Internet Access

Employees should be aware that messages and usage (E-Mail, UJS Smart Mail, mainframe-based information and Internet access) are monitored and should use discretion when communicating sensitive matters. Abuse of electronic resources may result in disciplinary action up to and including termination.

Electronic resources are considered State property, and should be used only in conjunction with job responsibilities. Use of electronic resources such as personal messages, breaches of confidentiality, pornography, and accessing non-work-related websites are considered inappropriate and abuse of State resources. Confidential information gained during employment also may not be used or disclosed in a way that could result in any financial benefit to the employee or a family member or a related business. (See Appendix G)

Drug-Free Workplace Policy

The UJS firmly supports a drug-free work environment. Drug use/abuse in the workplace lowers productivity and work quality, impairs safety, and threatens the health of employees. Upon appointment, all new employees receive a copy of the drug-free workplace policy which they are asked to sign as acknowledgement that they have been informed of the consequences of drug abuse on the job. Signing this policy is a condition of employment. (See Appendix F)

Violence-Free Workplace Policy

Violence at work can affect employee work performance and morale. Threats, intimidation, harassment, or acts of violence will not be tolerated. The UJS further establishes that all of its officials, supervisors, and employees will treat each other with courtesy, dignity, and respect. The UJS is committed to a violence-free workplace. Its goal is to prevent violence in the workplace as well as to reduce the negative consequences for employees who experience or encounter violence. (See Appendix D)

Outside Employment

Employees may engage in outside employment as long as it does not create a real **or** a perceived conflict of interest. Additionally, outside employment is permitted as long as:

1. It does not conflict with an employee's work schedule, duties, and responsibilities, and does not involve access to case information usually available only to UJS employees.
2. It does not impair or have a detrimental effect on an employee's work performance.
3. It does not require the employee to conduct outside work or related activities during working hours or using State facilities and/or equipment, including the UJS electronic data.

Questions about whether outside employment is proper should be addressed to the supervisor or an administrator.

Ethics Law (Misuse of Position)

In general, the Ethics Law (Code of Alabama, 1975, §36-25-1) makes it unlawful for any public official or employee to use (or attempt to use) his/her State position to obtain special privileges, treatment, favors, gifts, exemptions, etc., for himself/herself, his/her family, or a business with he/she is associated. State time, property, equipment, etc., may not be used for private benefit. Confidential information gained during employment also may not be used or disclosed in a way that could result in any financial benefit to the employee, family member, or a related business. Certain officials and employees are required to file a "Statement of Economic Interests" on an annual basis. There are additional requirements and prohibitions relating to lobbying activities and election campaigns.

JOB STANDARDS

You are expected to perform your job according to the rules and standards set by your supervisor or appointing authority. Inattention to job duties, leaving your work area without permission, tardiness, sleeping on the job, misuse or abuse of State supplies or equipment, including use of office telephones for personal business, could result in disciplinary action by the local administrator. Serious violations such as insubordination, theft of money or State property, use of abusive language, viewing/possession of pornography, physical assault of another person, falsification of official records, possession or use of alcohol or other illegal drugs on the job, etc. may, at the discretion of the local administrator, result in suspension or dismissal for the first offense.

Appearance and Dress

As an employee of the State of Alabama and the UJS, you are expected to maintain a reasonable standard of dress. Your dress and appearance should reflect an appropriate professional attitude toward the people you serve and express an individual pride in neatness and cleanliness. Local administrators may elect to establish a dress code for their own office that is more specific. (See Appendix C)

Housekeeping

The appearance of your workplace conveys a message about you and about the judicial system. Good housekeeping by all employees is important to maintain a safe and healthy environment and promote pleasant, efficient working conditions.

Personal Property

Since work areas must be efficiently organized, the supervisor has the right to limit or bar the placement of personal property in the workplace, particularly in areas in the public view.

FRINGE BENEFITS

Health and Dental Insurance

Comprehensive health and dental insurance is furnished by the State of Alabama for all permanent, full-time employees. Permanent employees who work part-time hours may participate in the health plan by paying a pro-rated share of the State's contribution.

Detailed information on state health insurance is available on the State Employees' Insurance Board (SEIB) website at www.alseib.org. The SEIB coordinates employee health insurance with Blue Cross, which provides information brochures and membership cards to all new employees. Information on premiums and procedures for health/dental coverage may be obtained from the website or the Human Resources Division at the AOC. The SEIB toll-free number is 1-866-836-9737 or 334-263-8341.

Enrollment

Employees are enrolled in a health plan on their first day on the job.

You may enroll dependents at that time, OR during the annual open enrollment period (the entire month of November, for coverage effective January 1), OR the first day of any month. If you acquire dependents after your initial enrollment, you may add family benefits within 31 days of the birth of a child, marriage, adoption, OR during the annual open enrollment period, OR the first of any month. If you already have family coverage, you must still notify the AOC Human Resources Division upon the birth of another child. Failure to do so will result in rejection of claims on the newborn.

If you elect family coverage, your contribution for the cost of the insurance on your dependent(s) is deducted from the second pay warrant of the month as prepayment for the following month.

Effective Date

Coverage is effective as of the date of employment. There is a 270-day waiting period for "pre-existing" conditions for employees who have been uninsured prior to their employment with the UJS. **"Preexisting Conditions"** are defined as - *"any condition, no matter how caused, for which you received medical advice, diagnosis, care, or for which treatment was recommended or received during the six months before your coverage began."*

If you had health insurance prior to your UJS employment and served all or a portion of the waiting

period for that plan, you may be eligible to apply with time served toward fulfilling the waiting period for the State plan. (See "HIPAA," below.)

Dependent children are covered through the age of 19, and those who are full-time students may be covered through the age of 25. In order for your child to be covered as a student, you must furnish the State Employees' Insurance Board (SEIB) with annual certification from your child's school that he or she is enrolled as a full-time student. Failure to furnish this certification will result in cancellation of the child's health coverage.

Health Insurance Portability and Accountability Act of 1996 (HIPAA)

If you were covered under another health plan prior to being covered by the State plan, the time you were covered will be credited toward the state's 270-day waiting period for preexisting conditions, if:

1. There is no greater than a 63-day break in coverage, and
2. The last coverage was "creditable coverage" under an individual or group plan.

Employees are responsible for securing a "*Certificate of Creditable Coverage*" from their former employer or insurance carrier. This *Certificate* should be forwarded to the AOC Human Resources Division along with the initial enrollment form.

Flexible Employees' Benefits (tax shelters)

As part of the Flexible Benefits offered, IRS regulations allow employees to pay premiums and pay for eligible health care and dependent care expenses with pre-taxed payroll deductions (no federal or state taxes applied.) Three programs are designed to save you money:

1. **Family Coverage/Premium Conversion Plan (PCP)** - This benefit is a tax shelter provided for those who enroll their eligible family members in the plan offered by the SEIB. For employees who choose to participate in the Premium Conversion Plan, dependent health premiums are not subject to federal or Social Security taxes. You are offered the opportunity to enroll in this program at the time of hire, or annually, as determined by the SEIB.
2. **Dependent Care Reimbursement Account Plan (DCRA)** – allows eligible employees the opportunity to pay dependent care (day care) expenses using pre-tax dollars.
3. **Health Care Reimbursement Account Plan (HCRA)** – allows eligible employees to set aside tax free payroll deducted money in an account to pay themselves back for eligible health care expenses incurred by them or their dependents.

The Flexible Employees' Benefits Summary Plan Description is available on the SEIB website: www.alseib.org.

Payment for Health Insurance While Off Payroll (LWOP)

To maintain health coverage during a period of leave without pay (LWOP), you must make the premium payments normally made by the State of Alabama and, if applicable, premium payment for

dependent coverage. A check or money order made payable to and forwarded to "The State Employees' Insurance Board" (SEIB). Contact the AOC Human Resources Division for the exact amount of the premium.

If the period of leave (paid, unpaid, or a combination of both) qualifies under the Family and Medical Leave Act, the State will pay the employee's individual health premiums for a period of up to 12 weeks per year. (See also Family and Medical Leave Act, page 3, Appendix B) Dependent premiums remain the responsibility of the employee.

Continuation of Health Benefits (COBRA)

When your employment with the State of Alabama terminates, you will have the right to continue your individual health coverage (and family coverage if you had elected it prior to your separation) at your own expense. Coverage may be continued with the State plan for up to 18 months. In the case of a divorce, your ex-spouse may retain coverage for up to 36 months. The 36-month limit also applies to children who no longer qualify as "dependents" (age 19, or not a full-time student).

In the event of your death, your surviving spouse may retain coverage indefinitely at his or her own expense, providing that family coverage was already in effect. Your children may also retain coverage until they no longer qualify as dependents.

Chapter VII, *Payroll Procedures*, in the UJS Human Resources Procedures Manual contains more specific information on continuation of coverage.

Holidays

The AOC publishes a calendar and the list of State Holidays to be observed during the calendar year. The legal holidays on which State offices may be closed are as follows:

1. New Year's Day - January 1
2. Robert E. Lee's Birthday/Martin Luther King Jr.'s Birthday - Third Monday in January
3. Mardi Gras Day (**Mobile and Baldwin counties only**)
Employees in other counties receive a Personal Day
4. George Washington's Birthday/Thomas Jefferson's Birthday - Third Monday in February
5. Confederate Memorial Day - Fourth Monday in April
6. National Memorial Day - Last Monday in May
7. Jefferson Davis' Birthday - First Monday in June
8. Independence Day - July 4
9. Labor Day - First Monday in September
10. Columbus Day - Second Monday in October
11. Veterans' Day - November 11

12. Thanksgiving Day - Fourth Thursday in November

13. Christmas Day - December 25

If a holiday falls on Saturday, it is observed on the preceding Friday. Sunday holidays are observed the following Monday. **To be eligible for holiday pay/benefits, you must be either on duty or on approved leave with pay on the workdays immediately before and after the holiday.**

When county and State holidays conflict, the presiding judge enters a court order authorizing court offices to close (Rule 5, Alabama Rules of Judicial Administration). In this case, another State holiday may be worked as a substitute, or employees may be placed on annual leave. Under no circumstances does the law grant holidays to court employees in excess of those authorized (see list above). Extra holidays (example: Friday after Thanksgiving) may be granted by the Governor and/or Chief Justice.

Your local appointing authority may require you to work on a holiday. If you are required to work, the hours worked should be recorded as compensatory time earned at straight time for number of hours given for the holiday.

Personal Day

Employees are granted a "personal leave day" in lieu of the Mardi Gras holiday in all counties **except** Baldwin and Mobile, where Mardi Gras continues to be observed. This day is granted on January 1 of each calendar year. Only those employed on January 1 of that year are entitled to this day. The Personal Day may be taken only in the increments utilizing a full work day (example: eight hours); it cannot be taken in hours or minutes. No personal day time can be taken or scheduled into the next year. When the personal day is not taken, it is forfeited.

Human Resources Desktop Program (HR Desktop)

All leave must be submitted by the employee and approved by his/her supervisor or appointing authority utilizing the Human Resources Desktop Program which can be accessed at hrdesktop.alacourt.gov. This program is used to request annual leave, sick leave, Personal Day, FMLA, or a combination of these in order to cover a period of absence. Whenever possible, all periods of leave, with the exception of emergencies, should be discussed with the administrator or supervisor in advance.

The local administrator has the discretion to disapprove or alter leave requests based on the office customs and work load, since he or she is responsible for maintaining the staffing needed for the operation of the court office under his or her control. Individual offices may establish local leave policies as long as they are not in conflict with UJS policy, and local rules may be more specific than the general policy outlined above.

Note: Pay stubs, comp time, leave balances, etc., may be viewed by accessing information utilizing the HR Desktop.

Total Service Credit

Any prior service with other State agencies in an approved leave earning position may be used in establishing your Total Service Date. The Total Service Date determines your annual leave earning

rate. It is your responsibility to notify the AOC Human Resources Division of any previous State employment.

LEAVE

Annual Leave

All full-time employees earn annual leave based on their length of service as determined by the Total Service Date. This leave is credited to your account at the end of each bi-weekly pay period. To be eligible to earn annual leave in any pay period, a full-time employee must either be on duty or on approved leave with pay for at least 80% of the time in a pay period.

The accumulation rates are as follows:

Total Years of Service	Accumulation per Pay Period	Annual Accumulation
Fewer than 5	4 hours and 20 minutes	13 days
5 but less than 10	5 hours and 25 minutes	16 days, 2 hours
10 but less than 15	6 hours and 30 minutes	19 days 4 hours
15 but less than 20	7 hours and 35 minutes	22 days, 6 hours
20 but less than 25	8 hours and 40 minutes	26 days
25 or more	9 hours and 45 minutes	29 days, 2 hours

Part-time employees earn annual leave on a prorated basis using a comparable total service sliding scale.

The maximum amount of leave that can be carried over beyond the last day of the calendar year (December 31) is 60 days (480 hours). Individuals separating from the UJS receive payment for any unused annual leave, up to a maximum of 60 days.

Annual leave should be used to cover absences for personal business, vacations, or when an employee has insufficient sick leave. Annual leave can never be advanced by local administrators or used before it is earned.

Sick Leave

All full-time employees earn 4 hours and 20 minutes of sick leave, which accrues at the end of each semi-monthly pay period. This earning rate does not increase with years of service as annual leave does.

Effective October 1, 2000, sick leave may accumulate beyond 1200 hours during a calendar year (prior to this date, the active balance of sick leave could never exceed 1200 hours at any time during the year). At the end of the calendar year, the balance of sick leave in the active account is reduced to a maximum of 1200 hours. Any hours in excess of 1200 are placed in Sick Leave Reserve. The Reserve hours may be used only in the event all sick leave hours in the active account are exhausted.

Sick leave is used for absences due to (1) illness; (2) bodily injury; (3) physical or dental examinations or treatments by a physician on account of illness; (4) illness, injury, or death of a member of your immediate family. For leave purposes, immediate family is defined as spouse, children, parents, siblings, grandparents, and grandchildren. Where unusual personal ties exist, an administrator may recognize other relationships as immediate family for the purpose of granting sick leave.

If you are sick and cannot report to work, you should telephone your administrator or supervisor and, upon returning to the office, submit leave utilizing the HR Desktop Program to cover the absence. If you do not have sufficient sick and/or annual leave, leave without pay may be substituted. This should be the first order of business on returning to work as sick leave must be submitted in the Human Resources Desktop System on the first day upon returning to work. If not submitted timely, this constitutes fraud and can be grounds for immediate dismissal.

Sick leave with pay is not a right that you can demand, but is a privilege granted in accordance with prescribed rules and regulations. Your administrator may require that a claim for sick leave, at any time, be supported by adequate evidence verifying the condition of yourself or your family member. Any unjustified or fraudulent claim for sick leave may be punished by loss of pay, loss of accumulated leave, suspension, demotion, or dismissal.

Official Court Reporters (non-merit) Leave

Official Court Reporters do not accumulate annual, sick, or personal leave. It is at the discretion of the appointing judge as to when an official court reporter may be absent from work. Recognizing that certain circumstances cannot be predicted, and in accordance with leave policies for UJS employees, the following guidelines apply:

Medical Absences – Includes illnesses, bodily injury, medical and/or dental appointments and the illness, injury, medical/dental appointments, or death of a member of the immediate family. Immediate family is defined as spouse, children, parents, brothers, sisters, grandparents, and grandchildren of both the employee and the spouse. Paid absence for the purpose of maternity includes pregnancies and adoption/foster care proceedings as extended to other UJS employees. A court reporter may only be approved for a maximum of six calendar weeks (30 days) in a 12-month period (fiscal year: October 1 – September 30). Any additional absence must be approved by the appointing judge and will be in an unpaid status.

Note: Any type leave taken must be submitted by the employee into the HR Desktop in a timely manner upon return to work. Failure to do so may result in disciplinary action by the immediate supervisor or administrator.

Advanced Sick Leave

In case of serious illness or disability, up to 24 days (192 hours) of advanced sick leave may be approved by the ADC under the following conditions:

1. All accrued leave (sick and annual) must be exhausted.
2. The period of absence must be five days or more following depletion of annual and sick leave.

3. The application for advancement, using form PERS-17, *Leave Request and Approval*, should be accompanied by a physician's certificate, preferably the Department of Labor FMLA form WHO-380, *Certification of Health Care Provider*, if the employee qualifies for FMLA leave.
4. The total of advance sick leave may not exceed 24 workdays at any time.

Requests for Advanced Sick Leave must be filed with your appointing authority and are subject to his or her approval. The final approving authority is the ADC. Upon return from Advanced Sick Leave, all sick and annual leave earned, as well as compensatory time earned, goes toward repayment of the debt. For this reason, **any periods of absence after the advancement of sick leave must be taken as leave without pay until the advance is repaid.**

If you should leave State service with an outstanding debt of Advanced Sick Leave, you are liable for the dollar equivalent of the balance not repaid. Therefore, a deduction is made from any final wages due. However, if the salary due is insufficient to cover the amount owed to the State, you will be contacted in writing and will be asked to pay back the dollar equivalent of your Advanced Sick Leave. If you refuse, the amount due may be recovered by legal action. Additionally, you will not be allowed to re-enter State service unless all such outstanding claims or liabilities against you have been satisfied.

Donated Sick Leave

UJS employees may transfer either, or a combination of accrued and unused sick, annual or compensatory leave hours to fellow State employees under certain "catastrophic" circumstances. "Catastrophic" conditions are those that are life threatening, or from which there is no reasonable expectation of recovery, or where the employee is unable to return to work for a year or more. Examples of catastrophic conditions are a brain tumor, rejection of a kidney transplant, pregnancy (during the time the physician states employee is disabled due to pregnancy (verification required), and a mother caring for a terminally ill child. Other medical conditions that are serious but do not meet the above definition may also qualify for donated leave. Example: chemotherapy (only for the period when the employee is unable to work).

In addition to transfers between UJS employees, Act 2001-352 provides for transfers between UJS employees and employees in the executive and legislative branches of State government. Such transfers are subject to the approval of **both** the UJS appointing authority and Administrative Director of Courts, **and** the executive or legislative branch appointing authority under the following conditions:

1. The receiving employee must have exhausted all sick and annual leave.
2. The employee receiving the donated leave may be in a position with an equal, a higher, or a lower pay grade than the position of the donating employee.
3. Requests should originate with the employee who will be the beneficiary of the donation.
4. Sick, annual, and compensatory leave may be donated.

5. Employees who are leaving State service may not donate prior to their separation date.
6. Requests for donations should be submitted prior to the affected pay period, but should not be submitted for more than one month in the future. Once the donation has been approved by the ADC, the leave belongs to the receiving employee and cannot be returned to the donating employee even if it is not used.
7. All donations involving UJS employees must have the approval of both the local appointing authority **and** the ADC. Donations within the UJS must be documented on PERS Form 18, *Unified Judicial System Sick Leave Donation Request*. Donations involving employees in another branch of government will also require use of the appropriate forms, in addition to the UJS Form 18.
8. Employees whose immediate family members (spouse, child, siblings, grandparents, and grand-children) have suffered a catastrophic illness or injury may be eligible to receive donated leave. **NOTE:** This definition differs from the FMLA definition of eligible "family."

Information on donated leave may be found in Chapter V of the UJS Human Resources Procedures Manual.

Maternity Leave

"Maternity Leave" is not recognized as a separate type of leave; rather, a combination of sick leave, annual leave, and/or leave without pay may be requested for maternity purposes. Any leave approved will run concurrently with Family and Medical Leave Act (FMLA) leave, which, for qualifying employees, is up to a maximum of 12 weeks per calendar year. (See also "Family and Medical Leave Act," page 2, and Appendix B of this Handbook)

Accumulated sick leave may also be used for paternity leave. FMLA rules apply in this case, as for maternity. As in all FMLA leave requests, a *Certification of Health Care Provider*, form WH-380, may be required by your administrator.

If all or a portion of your FMLA "maternity" leave is in a leave-without-pay status, Act 99-385 provides that you may purchase retirement credit for the time you were off the payroll. Certain guidelines apply:

1. The period of time involved must be less than one year.
2. You must be an active contributing member at the time of purchase.
3. You must pay the actuarial cost (both employer and employee costs).
4. For maternity leave ending on or after January 1, 2000, payment must be made no later than June 30 of the calendar year following the end of the maternity leave.

Contact the AOC Human Resources Division to obtain the appropriate form for claiming credit.

Bereavement Leave

Act 2001-1361, Regular Session, permits a permanent State employee to be granted bereavement leave in conjunction with the death of a person related by blood, adoption, or marriage. The following conditions apply:

1. Bereavement leave is authorized only for those employees who have no available sick leave.
2. For any one occurrence, the bereavement leave is limited to three days.
3. Employees granted bereavement leave **must reimburse the State** within one calendar year following the use of the leave. Reimbursement will be in the form of leave days, including sick, annual, and personal days.
4. If the employee leaves State service before repaying the bereavement leave, it will be deducted from his or her final pay.

Military Leave

If you are an active member of the Alabama National Guard or the Reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, you may be granted military leave from your position for training or other service ordered under State or Federal law. No such leave with pay shall be for more than 168 hours per calendar year.

Military Pay Differential and Leave Restoration

Act No. 2002-430, effective July 1, 2002, retroactive to September 11, 2001, provides that any State employee called into active service in any of the Armed Forces of the United States for 30 or more consecutive days during the war on terrorism shall:

1. receive from his or her State agency or department compensation in an amount which is equal to the difference between the lower active duty military pay and the higher public salary which he or she would have continued to receive if not called to active service.
2. be entitled to request any annual or sick leave used as a result of being called to active service restored to his/her leave balance. Leave can only be restored one time.

Administrative Leave

Administrative leave is paid leave not charged against an employee's leave account. Local administrators may grant administrative leave for the following reasons only: 1) jury duty, 2) court attendance as a witness not involving personal litigation, 3) attendance at UJS employee association conferences recognized by the AOC, 4) State examinations pertinent to State employment, 5) voting, 6) severe weather or conditions that may affect the health of employees, and 7) for any other reason only when approved by the ADC.

Leave without Pay

Leave without pay should be taken only when necessary and should be granted by the administrator

only if work schedules permit. An appointing authority may grant leave without pay to a permanent employee for a period not to exceed one year if it is felt that such leave would be in the best interest of the State. When the leave of absence expires, the employee will be reinstated to a position in the same classification (not necessarily the same job) occupied at the time the leave was granted, even though this may require terminating a person employed to do the work during the leave of absence. Failure to report for duty promptly at the expiration of a leave of absence may result in disciplinary action. Also, if necessary to conduct the business of the courts, you may be notified to return to work prior to the time of the expiration of your official leave.

Leave without pay will not be approved for individuals to take other jobs or go into business for themselves. During periods of leave without pay, employees are responsible for direct payment of elective payroll deductions and health insurance (both individual and dependent coverage, if applicable), **except** for qualifying FMLA absences, whereby the individual health premiums may be paid by the State.

Employees who take all or a portion of their FMLA/"maternity" leave in a leave without pay status may purchase retirement credit for the time off payroll. See page 14 of this handbook for further information.

Probationary employees may not be granted more than 15 consecutive days of LWOP without special approval of the ADC.

Longevity Bonus (Act 87-625)

Permanent employees who are in pay status and have attained a minimum of five years total State service as of the first pay period in December are eligible for a lump sum payment based on years of service.

Service with schools, colleges, or universities is not creditable for the longevity bonus. You will be eligible based on the following schedule:

Longevity Bonus Schedule			
Total Service	Full-Time	1/2 Time	3/4 Time
Less than 5 years	\$ 0	\$ 0	\$ 0
Completed 5, but less than 10	300.00	150.00	225.00
Completed 10, but less than 15	400.00	200.00	300.00
Completed 15, but less than 20	500.00	250.00	375.00
Completed 20, but less than 25	600.00	300.00	450.00
Completed 25 or more years	700.00	350.00	525.00

In a case where an employee changes from part-time to full-time service, longevity pay will be based on the employee's current employment status and total length of service under both full-time and part-time employment.

Retirement

Membership in the Employees' Retirement System of Alabama is required as a condition of your employment. Exceptions to this policy are: 1) temporary employees, 2) part-time employees who work less than 20 hours per week, and 3) UJS Law Clerks (for the initial year of employment).

To be eligible for service retirement, the following general rules apply:

1. The employee must have completed 10 or more years of creditable service and have reached the age of 60, **OR**
2. The employee may retire at any age after 25 years of contributing service.

You may request disability retirement after 10 years of contributing service with no age requirement. Disability retirement applications require medical certification.

Upon retirement, you will be paid for all of your accumulated annual leave, up to a maximum of 480 hours. You will also be paid for one-half of your accumulated sick leave. Since the maximum amount of sick leave you can accrue is 1200 hours, payment for sick leave cannot exceed 600 hours. Also, employees may request that their accumulated sick leave be converted to service credit by so electing on the retirement application form.

Contribution rates (currently five percent [5%] of your gross earnings) and retirement benefits are set by law. There are also provisions for withdrawal of contributions, reinstatement of service credit, purchase of military service credit, post retirement employment, and retirement death benefits. The provisions of the retirement law are extensive and are subject to change by legislative act. For specific information, contact the Employees' Retirement System of Alabama, 135 South Union Street, Montgomery, AL 36130, telephone number (334) 832-4140 or toll-free (800) 214-2158. The RSA website, www.rsa-al.gov, provides detailed information on retirement benefits and other related matters.

The Deferred Retirement Option Plan (DROP)

This voluntary program became effective June 1, 2002, per Act 2002-23, p. 31, Subsection 2. The plan allows members of the Employees' Retirement System (ERS) to contract with the ERS to defer receipt of their retirement allowance and continue their employment for a specific period of time. At the end of DROP participation, the member may withdraw from active service and receive a retirement benefit based on his or her years of service credit at the time of enrollment in DROP plus a lump-sum payment of the deferred funds in his/her DROP account.

The ERS member must meet all of the following requirements for DROP participation:

1. Have at least 25 years of creditable service exclusive of sick leave (you cannot convert sick leave into creditable service to become DROP eligible).
2. Be at least 55 years of age.
3. Be eligible for service retirement.

A member may participate in DROP only one time. Election to participate in DROP must be in one-year increments for a minimum of three years but not more than five years. Voluntary termination in the first three years of DROP participation will result in a penalty, but there is no penalty for involuntary termination such as dismissal, disability, involuntary transfer of his or her spouse, or death of the participant.

For information, contact the Retirement Systems of Alabama, or visit their website at www.rsa-al.gov.

Deferred Compensation

State employees may reduce their taxable income and provide for additional retirement income by contributing to either of two State-approved plans. Payroll deductions are made on a regular basis and are paid with pre-tax dollars. Please note that these contributions are separate from State retirement contributions.

The federal **Economic Growth and Tax Relief Reconciliation Act of 2001** (EGTRRA) provides for increasing contributions per the table below:

Year	Maximum Deferral
2002	\$11,000
2003	12,000
2004	13,000
2005	14,000
2006	15,000
2007 and after	Increments of \$500

In addition to the above, employees age 50 and older may contribute an **extra** \$1,000 per year.

RSA-1 (Retirement Systems of Alabama Deferred Compensation Program)
Information and enrollment forms are available from RSA-1, Retirement Systems of Alabama, 201 South Union Street, Montgomery, Alabama 36130, (334) 517-7000, (877) 517-0020, or from the AOC Human Resources Division. The RSA website is www.rsa-al.gov.

Nationwide/PEBSCO (Public Employee Benefit Services Corporation)
This is a second deferred compensation program approved by the State of Alabama for payroll deductions. Information is available from PEBSCO of Alabama, 503 Coliseum Boulevard, Suite D, Montgomery, Alabama 36109, (334) 277-7820, or (800) 239-3595. PEBSCO's website is www.pebsco.com.

PACT (Prepaid Affordable College Tuition)

This program was established by the legislature in 1989 to help Alabama citizens plan and save for their children's college education. PACT involves purchasing a contract for prepayment of four years future undergraduate tuition at any of Alabama's public colleges and universities. Open enrollment is held each September. Information is available from the State Treasurer's Office at toll-free (800) 252-7228 or on the website at www.treasury.state.al.us.

On the Job Injuries/Illnesses

State employees are not covered by Workers' Compensation. Instead, the State Employee Injury Compensation Trust Fund (SEICTF) provides benefits similar to Workers' Compensation. The accident rider provided by State health insurance does not cover workplace illnesses or injuries, so

in order to have coverage for these conditions, employees must comply with SEICTF procedures

that include using services of their approved health care providers.

SEICTF benefits include:

- **Medical costs** (Co-pays and deductibles are covered; all reasonable and necessary medical expenses are covered.)
- **Lost Time** (Payment is tax-free - 2/3 current wage subject to weekly maximum rate; Special Leave Reimbursement Program not applicable; injured employee remains on payroll as long as permissible; employee compensation is paid via SEICTF warrant when electing 2/3 option; employee compensation is paid via state payroll check when electing Leave option.)
- **Disability** (Payment for total disability continues as long as the disability exists.)
- **Death** (Maximum \$5,000 burial expense; Payments to eligible dependents up to 500 weeks.)

All job-related illnesses or injuries must be reported **immediately** to your supervisor, even if no absence is involved. If SEICTF determines that it is a qualifying injury/illness, the employee will pay no deductibles or co-pays for the related medical expenses. The SEICTF program also has provisions for lost earnings and for permanent and partial disability. Additional information on the SEICTF program is available at www.riskmgt.state.al.us.

Unemployment Compensation

The UJS participates in the Unemployment Compensation program administered by the Department of Industrial Relations (DIR). DIR will determine your eligibility for a weekly benefit for up to 26 weeks, depending on the reasons for separation from State service. Contact your local Unemployment Compensation office for information, or visit www.dir.state.al.us.

SEPARATIONS

The UJS recognizes several types of employee separations:

Resignation

A resignation is a voluntary separation initiated by the employee. A two-week written notice to your administrator is customary. Failure to give appropriate notice, may result in your separation being considered "Not in good standing," and your personnel record noted, "Not recommended for re-employment".

Retirement

A retirement is a separation from State service in accordance with the provisions of the Employees' Retirement System of Alabama. See page 22 of this handbook for more information on this topic.

Dismissal

A dismissal is an involuntary punitive action separating an employee for cause.

Termination without Prejudice

This is a non-punitive, involuntary separation that does not reflect unfavorably on the employee. This type separation may be used when a probationary employee fails to gain status in a class, or to

separate a confidential employee of a judge who resigns, retires, or is not re-elected. It may also be used to separate a permanent employee who becomes incapacitated and the advancement of sick leave or donated sick leave is inappropriate.

Job Abandonment

Job abandonment is a resignation that is considered "Not in good standing", initiated by an administrator after an employee's unauthorized leave of absence of five consecutive workdays.

Leave Payment upon Separation

Upon separation from State service, UJS employees who earn leave will be paid for their audited balance of annual leave (up to 480 hours). In addition, if the separation is a retirement, the employee will be paid for one-half of their balance of sick leave (payment maximum up to 600 hours).

Other Benefits

Former employees may maintain health insurance coverage at their own expense under COBRA. Depending on the circumstances of the separation, former employees may be eligible for Unemployment Compensation.

GRIEVANCE PROCEDURE

A grievance is a complaint regarding some matter considered by an employee as unresolved. Topics that are **not** considered appropriate for a grievance are classification issues, pay, discipline, and any other items that have rules, regulations, or procedures addressed in the UJS Personnel Procedures Manual and/or the UJS Employee Handbook.

An employee is expected to make every effort to resolve problems as they occur through informal means. Employees should discuss workplace problems with their immediate supervisor prior to initiating a formal grievance procedure. If this informal discussion fails to resolve the problem, the employee should prepare a written description of the problem at issue, including reference to the discussion that was held with the immediate supervisor, and why the employee feels the resolution reached in the discussion was inadequate. This written grievance should be prepared and submitted to the employee's appointing authority within five working days after the conversation with the supervisor.

The appointing authority will discuss the issue with the employee and provide a written answer to the employee, usually within five working days of receiving the employee's written grievance. The decision given by the appointing authority will be final and is not subject to review or appeal.

POLITICAL ACTIVITY

Code of Alabama 1975, §17-1-7, the Equality of Citizenship Act, addresses political activity. All State employees, whether merit or confidential, may participate in city, county, State, and national level political activities to the same extent as any other citizen of the State of Alabama. Participation includes endorsing and supporting candidates or causes, and running for elected office.

Participation must be limited to off-duty time, i.e., before or after work, on holidays, or when on approved leave. No State employee may engage in political activities while on State time or use State property, i.e., telephones, copy machines, postage, etc., when conducting political activities.

Additionally, the federal Hatch Act contains prohibitions relating to campaign activity by employees who are paid in whole or in part with federal funds.

DISCIPLINE PROCESS

Discipline is an official action that identifies unacceptable job performance or conduct that must be corrected. The determination of when disciplinary measures are appropriate is a matter of judgment to be exercised by your appointing authority. For most UJS employees, a progressive discipline sequence may consist of the following actions listed in order of increasing severity:

1. **Verbal warning** - This type of action may be undertaken in most situations before formal or more severe discipline is considered.
2. **Written warning** - An official written warning should leave no room for doubt in the mind of the employee as to what improvements are expected. If you receive a written warning, you may be asked to respond in writing.
3. **Suspension** - Your appointing authority may suspend you without pay for just cause. Suspension is a temporary action, and an appointing authority may suspend an employee for up to 30 calendar days within one 12-month period. Suspensions are not subject to appeal to the UJS Employee Appeals Board, although the employee may request a hearing by an impartial hearing officer appointed by the ADC.
4. **Demotion** - If you are unable or unwilling to perform the duties assigned to your classification, you may be demoted to a lower class, which may result in a loss of pay. Under certain circumstances, a demotion may be voluntary on the part of the employee. In this instance, the demotion is not appealable. \
5. **Dismissal** - Dismissal is the punitive action taken by an appointing authority, for just cause, to permanently separate an employee from service. You may be dismissed for either unsatisfactory work performance or misconduct. Merit employees with permanent status may appeal a dismissal to the UJS Employee Appeals Board.

Certain forms of misconduct and serious violations such as refusal to follow a direct order, insubordination, misappropriation of funds, theft of money or state property, use of abusive language, falsification of official records, viewing/possession of pornography, physical assault of another person, possession or use of alcohol or other illegal drugs on the job, etc., may result in immediate dismissal with no prior warnings.

Employee Appeals

Merit system employees who have successfully completed the required probationary period attain "permanent status" and have the right to appeal an involuntary termination or punitive demotion to the UJS Employee Appeals Board. The five-member Board consists of one Retired Judge, two elected Circuit Clerks, one Juvenile Probation Staff member, and two employee representatives (Court Specialists). Suspensions are not appealable to the Board.

The appeal must be by letter directed to the ADC within 10 calendar days after the appealable action is effective. The Board will be convened to hear the employee appeal. Probationary and confidential employees have no rights of appeal.

Juvenile Probation Officers (JPO) who were hired after October 1, 2000, probationary, and confidential employees are not subject to merit system guidelines as it relates to the appeals process. However, they may request a review in writing to the ADC should they disagree with an involuntary termination or punitive demotion.

Employee Review

While suspensions are not appealable, in an effort to avoid a situation where an individual's Fourteenth Amendment rights may appear to have been violated, employees will be offered the opportunity for an informal hearing before a neutral third party, prior to effecting a suspension. The third party will be appointed by the ADC. The hearing is not an appeal to the UJS Employee Appeals Board, but rather, is an informal process to ensure an impartial review.

POSITION CLASSIFICATION

Every position in the UJS is "classified," that is, placed within a group of positions with duties similar in difficulty, responsibility, type of work, and that require similar training and experience.

A "class specification" is a general description of the type and level of work typical of that class. It may or may not describe the actual duties assigned to your particular position, and it does not limit the ability of your administrator or supervisor to assign or change duties.

Positions in each office are assigned a specific classification. The class is determined by the duties and responsibilities of the job, not by the qualifications or abilities of the employee. The ADC determines the classification of positions. You will have the opportunity to compete for promotions when vacancies occur in positions with a higher classification. To do so, you must satisfy the time and experience requirements for that classification and, in the case of the Court Specialist series (see below), a written exam is required in order to be placed on a promotional register.

COURT SPECIALIST TESTING

Written promotional exams for the Court Specialist classes are held quarterly (January, April, July, and October) at ten sites statewide. The examination schedule and open job announcements are posted on the AOC website: www.alacourt.gov. Court Specialists who meet the eligibility requirements for the higher class may submit their applications to the AOC Human Resources Division. The qualifications are as follows:

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|------------------------------|--|
| Court Specialist II: | Successful completion of the six month probationary period in the Court Specialist I class; OR two years experience in an attorney's, judge's, or sheriff's office, OR court-related qualifying experience or education. |
| Court Specialist III: | A minimum of 13 months experience in the Court Specialist II class. |
| Court Specialist IV: | A minimum of 25 months experience in the Court Specialist III class. |
| Court Specialist Supervisor: | A minimum of 25 months in the Court Specialist IV class. |

REASSIGNMENTS

Within an office

The appointing authority may reassign an employee to another position with different duties, as long as it is in the same classification.

Between offices

Paperwork for reassignments between appointing authorities is initiated by the office losing the employee. Reassignment of a permanent employee from one appointing authority to another requires:

1. That a vacancy exists in the office wishing to gain the employee.
2. Both the employee and the position are the same classification.
3. Approval of both administrators.
4. That the move is voluntary on the part of the employee.

An employee with permanent status who is given a reassignment appointment to a different position in the same class shall retain permanent status upon appointment to the new position, if appointed by the same administrator. If the reassignment is to another office with a different appointing authority, the employee will serve a three-month probationary period with no probationary raise or salary increase. In the latter case, the employee also retains his/her merit date.

An employee who has not attained permanent status may not transfer during the probationary period. Instead, the employee may resign and be re-appointed by the new administrator and serve a six-month probationary period.

"Reassignments" between appointing authorities involving different classes are processed as an employee resignation, followed by either a reinstatement appointment (if to a lower class) or a promotional appointment (if to a higher class).

Re-Employment

Merit system employees with permanent status, who separate in good standing, may make application to be placed on a Reinstatement Register for return to UJS employment. To be placed on a reinstatement register, you must submit a UJS employment application (Form PERS 22) to the Human Resources Division of the AOC within two years of separation date.

You may apply for the class in which you held permanent status at the time of separation and/or lower classes in the Court Specialist series. When hired from the reinstatement register, the pay rate approved shall be the rate closest to the rate earned at the time of separation, except that the rate may not exceed the maximum for the class.

APPENDICES

APPENDIX A

Subject: **SEXUAL AND ANTI-HARASSMENT POLICY**

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- I. General Statement – The Administrative Office of Courts (AOC) is committed to preventing sexual harassment and harassment on the basis of sex, race, color, religion, national origin, sexual orientation, age, political affiliation, pregnancy, marital status, disability, and veteran status. These forms of harassment may violate the law and have no place in our organization's work environment. It is the organization's policy that every employee has the right to work free of harassment. Such harassment by anyone, including co-workers, customers, vendors, agents, or third parties, will not be tolerated. Employees who violate this policy will be subject to corrective or disciplinary action up to and including termination.
 - II. Eligibility – Officials, administrators, confidential, full-time, part-time, hourly, temporary, contractors, and vendors of the organization, as well as any job applicant or individual who has been separated from employment, provided that the complaint is made within 30 days of the separation date.
 - III. Scope
 - A. Sexual harassment refers to any behavior of a sexual nature that is unwelcome, is personally offensive, fails to respect the rights of others, lowers morale, interferes with work performance or creates an intimidating, hostile, or offensive work environment. Sexual harassment may take different forms and includes sexual harassment by a person of the same sex.

Examples of sexual harassment may include, but are not limited to, the following:

1. (a) Sexual advances, requests or demands for sexual favors, suggestive comments or verbal, written or electronically transmitted jokes of a sexual nature, sexual propositions, threats, continued or repeated verbal abuse of a sexual nature,
- (b) sexually suggestive objects or pictures, transmission of sexual or graphic materials via e-mail or internet, physical, video, photo, computer or electronic display of sexual or graphic materials, graphic commentaries about an individual or his or her appearance, suggestive or insulting sounds, lewd whistling or obscene gestures,
- (c) unwanted physical contact, including touching, pinching, patting, hugging, brushing the body, pushing, and all actions of a sexual nature, or
- (d) similar types of conduct which have the purpose or effect of substantially interfering with an individual employee's work performance or creating an intimidating, hostile, or offensive work environment.

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2. A dating or sexual relationship between a supervisor and a subordinate, where the subordinate reports directly or indirectly to the supervisor, can lead to charges of sexual harassment. Accordingly, a supervisor must not engage in a dating or sexual relationship with a subordinate, where the subordinate reports directly or indirectly to the supervisor, or where the supervisor has any responsibility, directly or indirectly, for the management, compensation, review, assignments, or work conditions of the subordinate. If such a relationship develops, the employees involved must report the relationship to their administrator, direct supervisor, or local Human Resources manager or representative who, in conjunction with other members of management will, to the extent practical and feasible, makes an effort to separate the employees organizationally, possibly by transferring one or both persons involved.
 - B. Racial harassment, a form of race and/or color discrimination, refers to behavior which is unwelcome, personally offensive, fails to respect the rights of others, lowers morale, interferes with work performance, or creates an intimidating, hostile or offensive work environment.

Examples of racial harassment may include, but are not limited to, the following:

- (a) Racial name-calling, (b) verbal, written, or electronically transmitted racial jokes or comments, (c) language or curses of a racial nature, or (d) similar types of conduct which have the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.
- C. Harassment on the basis of religion, national origin, sexual orientation, age, political affiliation, pregnancy, marital status, disability, or veteran status refers to behavior which is unwelcome, personally offensive, fails to respect the rights of others, lowers morale, interferes with work performance, or creates an intimidating, hostile, or offensive work environment.

Examples of other harassment may include, but are not limited to, the following:

- (a) Verbal, written, or electronically transmitted religious, ethnic, sexual orientation, age related, or disability related jokes or comments,
- (b) name calling based on religion, ethnic background, sexual orientation, age, or disability,
- (c) similar types of conduct which have the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

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- IV. Reporting and Complaints – Any employee who has been sexually or racially harassed or harassed on the basis of color, religion, national origin, sexual orientation, age, political affiliation, pregnancy, marital status, disability or veteran status, or who has witnessed such harassment of another person, is to immediately report the incident to their appointing authority, manager, supervisor, UJS Human Resources Manager or Assistant Human Resources Director or Legal Department without fear of retaliation. All participants in the investigation, including the complainant, the accused and individuals who assist or cooperate in the investigation, will be protected from retaliation. The imposition of disciplinary action for violation of this policy will not constitute retaliation. If the harasser is the supervisor, the report should be directed to the next level of supervision or the AOC Human Resources Division.

Any employee, including but not limited to the complainant or the accused, who believes he or she has been retaliated against for participation in such an investigation is to immediately report the incident as outlined.

The AOC will maintain the confidentiality of the complaint to the extent feasible by law. The AOC's disclosure of the complaint will be on a need-to-know basis, at the AOC's discretion, consistent with the internal investigation of the complaint or as otherwise required by law. Investigation of such complaints will generally require disclosure to the accused party, witnesses, and potential witnesses in order to gather pertinent information.

- V. Distribution of Policy – This policy will be communicated and issued to all AOC officials, administrators, managers, and supervisors.
- VI. Federal, State and Local Laws – Where this policy differs from federal, state or local laws, this policy will conform to those laws as the AOC's Legal Department may advise.
- VII. Review and Revision - The AOC reserves the right to rescind and/or amend this policy and all Organization policies at any time.

APPENDIX B

Subject: **FAMILY MEDICAL LEAVE ACT POLICY**

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- I. General Statement – The Administrative Office of Courts (AOC) supports a work environment that offers solutions to the complex issues individuals face in balancing their work and family commitments. Therefore, the AOC is required to comply with the Federal Family Medical Leave Act (FMLA) of 1993.

The Organization reserves the right to designate FMLA leave as needed to any eligible employee and to require employees to use available paid time off concurrently with family medical leave toward the 12-week limit. The FMLA entitles eligible employees to take up to 12 weeks of paid or unpaid, job-protected leave in a 12-month period based on the UJS fiscal year (October 1-September 30 of each year).

- II. Eligibility – To be eligible for FMLA, an employee must have worked for the Organization for at least one year and have completed 1,250 hours over the 12 months prior to the commencement of the leave. The 12-month period during which an eligible employee may take up to 12 weeks of unpaid leave will be calculated using the fiscal year time frame. Family and Medical Leave provides eligible employees up to 12 work weeks (480 hours) of leave during any 12-month period for one or more of the following qualifying status changes:

- * The birth of the employee's child, including, but not limited to, prenatal doctor appointments, morning sickness, bed rest, childbirth, and care for the newborn child during the first year after the birth;
- * The placement of a child for adoption or foster care with the employee including, but not limited to, court appearances, social work home visits, attorney appointments, and to care for the newly placed child during the first year after the placement;
- * To care for an immediate family member such as an employee's spouse, child, or parent/legal guardian who has a serious health condition; or
- * The employee is unable to perform as defined below his/her job because of a serious health condition that makes the employee unable to perform one or more of the essential functions of the job.

Note: The law does not include as "immediate family members" in-laws, siblings, ex-spouses, aunts, uncles, cousins, grandparents, grandchildren, or children 18 years old and older (unless the child has a serious health condition and/or disability that prohibits the child from caring for himself/herself, and stepchildren, unless the children are living in the employee's house and the employee is the primary financial provider). State law dictates the marriage relationship. In Alabama, same-sex partners cannot use FMLA leave to care for one another. However, Alabama recognizes common-law marriage, spouses in such marriages may use FMLA leave to care for each other.

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An employer can request the employee document the purported relationship between the employee and the family member requiring the employee's assistance. For example, an employer can ask an employee to produce a birth certificate to show the age of a child, a wedding license to prove marriage, and a court order to indicate guardianship.

- III. Procedure - An eligible employee who wishes to take FMLA must provide his/her supervisor with 30 days advance notice when the leave is foreseeable. At the time of the request, the employee may complete a "Family Medical Leave Information/Request Form". Once FMLA is requested or designated by the Organization, the employee will receive an information packet containing full policy, forms, rights, and duties of the FMLA for both the employee and the Organization.

In most cases, the eligible employee must submit medical certification to support a request for leave. Health and dental benefits will continue during the FMLA for the employee. However, dependent coverage must be paid by the employee in order to keep dependent coverage in effect.

Failure to pay premiums may result in a lapse of coverage for the dependent(s). Contact the Human Resources Department for specific details on continuing benefits while on leave.

Employees returning from FMLA within the 12 week period will be restored to their original job, or to an equivalent job with equivalent pay and benefits.

Employees returning from a medical FMLA will be required to present medical certification of fitness for duty. Failure to provide a medical certificate of fitness for duty may result in a denial of job reinstatement until a medical certificate release is provided.

The medical Certification of Health Care Provider serves as a "doctor's note" to certify the reason and expected duration of the extended medical leave in writing. All requests for medical leaves must be accompanied by doctor's statements verifying your total disability and your estimated date of return to work. Further, the Organization requires written medical verification of your ability to resume work and a list of restrictions that would directly relate to your ability to perform your job.

IV. Service Member FMLA Leave

In 2008, the FMLA was amended and now entitles eligible employees to take leave for a covered family member's service in the Armed Forces.

A. Eligibility:

To be eligible for Service Member FMLA, an employee must have worked for the Organization for at least one year and have completed 1,250 hours over the 12 months prior to the commencement of the leave. The 12-month period during which an eligible employee may take Service Member FMLA will be unpaid leave which runs concurrently with any accumulated paid leave using the fiscal year time frame (October 1 through September 30 of each year).

Subject: **FAMILY MEDICAL LEAVE ACT POLICY**

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Eligible employee may take Service Member Leave for either (or both) of the following reasons:

1. A qualifying “exigency” arising out of a covered family member’s active duty or call to active duty in the Armed Forces in support of a contingency operation. Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post deployment reintegration briefings. Leave duration: Up to 12 work weeks of leave during any 12-month period.
2. To care for a covered family member (“next of kin”) who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, including a member of the National Guard or Reserves, provided that such injury or illness may render the family member medically unfit to perform duties of the member’s office, grade, rank, or rating. This leave may also cover if the service member is undergoing medical treatment, recuperation, or therapy, or is in outpatient status; or is on the temporary disability retired list. Leave duration: Up to 26 work weeks of leave during a single 12-month period. (Leave may not exceed 26 weeks in a 12-month period when it is combined with other FMLA-qualifying leave.)

B. Procedure:

Proper documentation from the military entity must be presented to administrator when applicable as outlined in Section III above.

- V. Distribution of Policy – This policy will be communicated and issued to all Unified Judicial officials, administrators, managers, and employees.
- VI. Federal, State and Local Laws – Where this policy differs from federal, state, or local laws, this policy will conform to those laws as the AOC’s Legal Department may advise.
- VII. Review and Revision - The AOC reserves the right to rescind and/or amend this policy and all Organization policies at any time.

APPENDIX C

Subject: **DRESS CODE POLICY**

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- I. General Statement – The Administrative Office of Courts (AOC) requires that all Unified Judicial System (UJS) officials, administrators, and employees present a professional image to all we serve to include staff and co-workers. Personal appearance and hygiene play an important role in projecting a professional image in the community and to the customers we serve. Employees' appearances should always reflect what is appropriate for the job, work setting, and personal safety. Tattoos and body piercings must be discreet and must not take away from the employee's overall professional image. Dress requirements may vary slightly from one area to another depending on the nature of the work, exposure to the general public or customers, and the environment. Also, work settings may vary greatly across the organization; therefore, individual departments/court sites may establish a more formal business dress policy if appropriate.
 - II. Eligibility – Officials, administrators, confidential, full-time, part-time, hourly, temporary, contract, and volunteer employees of the UJS.
 - III. Purpose – This policy is intended to define appropriate "business attire" and "casual business attire" during normal business operations. These guidelines are not intended to be all-inclusive, but should help set the general parameters for appropriate attire, and allow employees to use good judgment and common sense about items not specifically addressed.
 - IV. Scope

Appropriate Business Attire

Business attire is to be worn Monday through Friday (except on casual business days established by an administrator). Business attire should be worn by all those employed with the UJS everyday except in locations and divisions requiring heavy duty labor. Examples of appropriate business attire for employees include the following:

Men:

- *Blazers, suits, or sport coats (as per your discretion)
- *Dress slacks
- *Ties
- *Dress shirts with buttons and collars
- *Dress shoes

Women:

- *Dresses
- *Skirts
- *Shirts
- *Dress slacks
- *Blouses

- *Dress shoes
- *Sweaters
- *Hosiery

Appropriate Casual Business Attire

Casual business attire may be worn on days established by each administrator. On these occasions, employees are still expected to present a clean and neat appearance and are not permitted to wear ripped or disheveled clothing, athletic wear, or similarly inappropriate clothing.

Examples of appropriate casual business attire for employees include the following:

Men:

- *Sport coats or blazers (as per your discretion)
- *Slacks
- *Jeans
- *Polo shirts with collars
- *Oxford button-down shirts
- *Sweaters and cardigans
- *Loafers

Women:

- *Slacks
- *Jeans
- *Polo shirts
- *Loafers
- *Sweaters

Examples of Unacceptable Attire

- *Body Suits
- *Leggings
- *Plain or pocket T-shirts
- *Shorts
- *Skorts
- *T-shirts with logos (does not include company or section logo shirts)
- *Athletic wear
- *Revealed under garments
- *Spandex or lycra such as biker shorts
- *Tennis shoes
- *Tank tops, tube tops, halter tops with spaghetti straps
- *Deck shoes
- *Midriff length tops
- *Capri pants
- *Jeans (Except on a casual business day determined by administrator)

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- *Provocative attire (example: tight fitting clothing, low cut shirts)
 - *Off-the shoulder tops
 - *Workout clothes or workout shoes

Personal Hygiene

In addition to proper dress, employees are expected to present a clean, neat, and business-like appearance. Appropriate personal hygiene includes:

Males:

- *Neatly combed hair
- *Clean-shaven or have neatly trimmed mustaches and/or beards
- *Clean and pressed clothing

Females:

- *Neatly combed hair
- *Clean and pressed clothing

- V. **Enforcement** - Reasonable accommodations will be made for employees' religious beliefs consistent with business necessity to present a professional appearance to all we serve to include staff and co-workers.

Officials, administrators, department managers, and supervisors are responsible for monitoring and enforcing this policy. Requests for advice and assistance in administering or interpreting this guideline should be directed to your immediate supervisor or administrator.

This policy will be administered according to the following action steps:

If questionable attire is worn in the office, the respective official, administrator, or department manager/supervisor will hold a personal, private discussion with the employee to advise and counsel the employee regarding the inappropriateness of the attire.

If an obvious policy violation occurs, the official, administrator, or department manager/supervisor will hold a private discussion with the employee and ask the employee to go home and change his/her attire immediately. Leave without pay will be deducted for time away from work due to this reason. Repeated disregard for the dress policy may result in disciplinary action up to and including termination.

- VI. **Distribution of Policy** – This policy will be communicated and issued to all Unified Judicial officials, administrators, managers, and employees.
- VII. **Federal, State and Local Laws** – Where this policy differs from federal, state, or local laws, this policy will conform to those laws as the AOC's Legal Department may advise.
- VIII. **Review and Revision** - The AOC reserves the right to rescind and/or amend this policy and all Organization policies at any time.

APPENDIX D

Subject: **VIOLENCE-FREE WORKPLACE POLICY**

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- I. Definitions - Violence is any act which is intended to intimidate, annoy, or alarm another person; or any act which is intended to cause pain or injury to, or which is intended to result in physical or personal contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act.

A dangerous weapon is any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death or injury upon a human being when used in the manner for which it was designed. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the individual intends to inflict death or injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is considered a dangerous weapon. Dangerous weapons include, but are not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade exceeding five inches in length.

Personal contact means an encounter in which two or more persons are in visual or physical proximity to each other. Personal contact does not require a physical touching or oral communication, although it may include these types of contacts.

- II. Policy Statement - The Judicial Branch recognizes that violence at work can affect employee work performance and morale. Threats, intimidation, harassment, or acts of violence will not be tolerated. The UJS further establishes, as its vision, that all of its officials, supervisors, and employees will treat each other with courtesy, dignity, and respect. The UJS is committed to a violence-free workplace. Its goal is to prevent violence in the workplace as well as to reduce the negative consequences for employees who experience or encounter violence.

III. Prohibitions

- A. Employees are prohibited from the possession, sale, transfer, or use of any dangerous weapon while engaged in State business, or on State property or the employer's premises.

This prohibition shall not include employees who have been issued professional weapons permits by the Department of Public Safety for use by these employees when acting under the authority of the Judicial Branch. This policy is not intended to restrict employees from engaging in legal hunting and recreational activities on State owned properties during off-duty hours.

Subject: **VIOLENCE-FREE WORKPLACE POLICY**

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- B. Employees are prohibited from engaging in harassment of another employee, supervisor, vendor, customer, or the general public in accordance with the Equal Employment Opportunity, Affirmative Action, and Sexual Harassment policies.
 - C. Employees are prohibited from making threatening or intimidating statements of engaging in threatening or intimidating behavior directed to another employee, supervisor, vendor, customer, or the general public.
 - D. Employees are prohibited from communicating with another employee, supervisor, vendor, or any other person including family or intimate partner by telephone, electronic means, or in writing without legitimate purpose or in any manner likely to cause the other person annoyance or harm.
 - E. Employees are prohibited from purposefully and without legitimate purpose, having personal contact with another employee, supervisor, vendor, customer, or other member of the public with the intent to threaten, intimidate, or alarm the other person.

IV. **Affirmative Duties**

- A. An employee who is the victim of workplace violence shall report the incident immediately in accordance with the procedures established by this policy.
- B. An employee witnessing workplace violence or the potential for such violence directed at another person or properties of the State shall report such incidents in accordance with the procedures established by this policy.
- C. When applicable, officials and employees shall cooperate fully with all appropriate individuals in the investigation and prosecution of criminal acts and the pursuit of any civil remedies in order to provide a violence-free workplace.

- V. **Reporting Procedures** - Any employee who has been the victim of workplace violence, or who has a concern about potential workplace violence within the context of this policy, should bring the matter to the attention of his or her supervisor or the appointing authority or his or her designee in accordance with the UJS grievance procedure. If the concern or complaint involves the employee's direct supervisor, the employee may go to the next higher supervisor with the concern or complaint or, in the alternative, to the Judicial Human Resources Office. All complaints will be promptly investigated by the appointing authority or the Administrative Office of Courts.

Subject: **VIOLENCE-FREE WORKPLACE POLICY**

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In the event of a situation requiring immediate intervention by law enforcement personnel, the appropriate law enforcement agency should be contacted immediately.

- VI. Remedies for Violations of Policy - Corrective action will be taken to remedy violations of this policy when warranted, up to and including the discharge of parties whose conduct violates this policy.

Any supervisor who fails to properly act upon employee complaints or on personal knowledge of conduct in violation of this policy may be subject to disciplinary action up to and including discharge.

A copy of all complaints received and their resolutions shall be forwarded to the Judicial Human Resources Office within 10 working days after receipt of a complaint and again immediately after resolution of the complaint.

- VII. Distribution of Policy – This policy will be communicated and issued to all Unified Judicial officials, administrators, managers, and employees.
- VIII. Federal, State and Local Laws – Where this policy differs from federal, state, or local laws, this policy will conform to those laws as the AOC’s Legal Department may advise.
- IX. Review and Revision - The AOC reserves the right to rescind and/or amend this policy and all Organization policies at any time.

APPENDIX E

Subject: **BACKGROUND INVESTIGATION POLICY**

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DIRECTIVE: CRIMINAL BACKGROUND CHECKS OR INVESTIGATIONS

Pursuant to the authority of the Administrative Director of Courts (ADC) as provided by Code of Alabama, 1975 §12-5-10, and Rule 9 of the Alabama Rules of Judicial Administration, the Administrative Director of Courts (ADC) hereby directs as follows: Beginning February 18, 2008, it shall be the policy of the Unified Judicial System (UJS) and the Administrative Office of Courts (AOC) to require all applicants seeking employment or requesting to provide volunteer services ("applicants") with or for Alabama's UJS or with the AOC to consent in writing to a full criminal background check or investigation; and for the UJS/AOC to conduct a criminal background check or investigation prior to determining whether to extend an offer of employment to any applicant. No offer can or shall be made to any applicant until the results of the criminal background check or investigation are found in writing to be acceptable to the appointing authority, the ADC, and the UJS Human Resources Director.

Information disclosed to the UJS/AOC as a result of any criminal background check or investigation shall be one of many factors considered in deciding whether to approve an offer of employment to any applicant.

While the particular facts and circumstances revealed in any criminal background check or investigation can and will vary from applicant to applicant, the following factors may be considered in determining whether to extend an offer to any applicant:

- the seriousness of any criminal conviction(s);
- the conduct involved in any criminal conviction(s);
- the sentence imposed for any criminal conviction(s);
- the time that has elapsed since any criminal conviction(s);
- the age of the applicant at the time of any criminal conviction(s);
- the specific duties and responsibilities of the UJS/AOC position applied for;
- the relationship between the conduct that was the basis for any criminal conviction and the applicant's fitness or ability to perform the duties of the UJS/AOC position applied for;
- the interest of the UJS/AOC in protecting the safety and welfare of the UJS/AOC officers and employees, and members of the general public; and
- the information supplied by the applicant relating to any rehabilitation or good conduct since the date of any criminal conviction(s).

Subject: **BACKGROUND INVESTIGATION POLICY**

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All information disclosed to the UJS/AOC in any criminal background check or investigation is and shall remain confidential, and under no circumstances shall such information be made available to the public.

Any record of information disclosed in any criminal background check or investigation shall be kept and maintained by the AOC Human Resources Division in a secure location physically separate and apart from any application file or personnel file, and shall be prominently marked, "CONFIDENTIAL." Access to such information shall not be made available other than to the following persons:

- (a) the Human Resources Director of the AOC, the appointing authority, and each of their legal counsel and other personnel involved in making hiring decisions;
- (b) the subject applicant/employee;
- (c) any court of competent jurisdiction in the event of litigation brought by the employer, the applicant or employee;
- (d) any court of competent jurisdiction upon a finding that the information is material to any issue of the case before the court; and
- (e) in limited circumstances, and based upon a demonstrated, appropriate showing of need, to others designated by the Human Resource Director.

APPENDIX F

Subject: **DRUG-FREE WORKPLACE POLICY**

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- I. General Statement - The Administrative Office of Courts (AOC) is committed to protecting the safety, health and well being of all employees and other individuals in our workplace. We recognize that alcohol/drug abuse poses a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. Therefore, it is required that Unified Judicial System (UJS) employees and affiliates shall abide by this Policy as a condition of employment.
 - II. Applicability - Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the UJS. Therefore, this policy applies during all working hours, whenever conducting business or representing the UJS and while in the workplace. Any individual who conducts business for the judicial system, is applying for a position, or is conducting business on the organization's property is covered by our drug-free workplace policy. Our policy includes, but is not limited to, all full-time employees, part-time employees, contractors, volunteers, interns, and applicants.
 - III. Prohibited Behavior - It is a violation of our drug-free workplace policy to unlawfully use, possess, sell, trade, and/or offer for sale alcohol, prescription drug, illegal drugs, or intoxicants.
 - IV. Notification of Convictions - Any employee who is convicted of an alcohol/drug offense must notify their administrator and the Human Resources Division of the AOC in writing within five calendar days of the conviction. The AOC and administrator will take appropriate action within 30 days of notification.
 - V. Drug Testing - To ensure the accuracy and fairness of our testing program, all testing will be conducted according to the following rules: All drug tests must be ordered based upon reasonable suspicion. They will include a screening test; a confirmation test-if requested; documented chain of custody; and the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result.

All drug-testing information will be maintained in separate confidential records. Each employee, as a condition of employment, will be required to participate in reasonable suspicion* testing upon selection or request of management and following any work-related accident.

The substances that will be tested for are: Amphetamines, Cannabinoids (THC), Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Barbiturates, Benzodiazepines, Methaqualone, Methadone, Propoxyphene and any other drug suspected to have been used by the employee.

****Reasonable suspicion may be based on factors such as: direct observation of an employee engaging in drug-related activity or exhibiting physical symptoms of being under the influence of drugs, irrational or erratic behavior, change in work performance, excessive or unexplained tardiness or absenteeism, and other such factors.***

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Testing for the presence of alcohol will be conducted by analysis of breath, saliva, and/or blood. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine, blood, and/or saliva.

Any employee who tests positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations, required to pass a Return-to-Duty drug test and sign a Return-to-Work Agreement, subject to unannounced, follow-up testing for **a period of two years**, and terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms, or refuses to cooperate in the testing process in such a way that prevents completion of the test.

- VI. Consequences - One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may reapply after two years and must successfully pass a pre-employment drug test.

Violations of this policy will result in progressive disciplinary action, including the possible requirement to enter rehabilitation. An employee who is required to enter rehabilitation and who fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

- VII. Return-to-Work Agreements - Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement devised by the appointing authority or designee, as a condition of continued employment.

- VIII. Assistance - The UJS recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

Subject: **DRUG-FREE WORKPLACE POLICY**

- Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

- IX. Confidentiality - All information received by the organization through the drug-free workplace program is confidential information. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.
- X. Shared Responsibility - A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

No employee shall report to work or be subject to duty while their ability to perform job duties is impaired due to the use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Use the Employee Assistance Program.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Refer employees to the Employee Assistance Program.

- XI. Distribution of Policy - Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed with all new employees.
- All employees will sign and return to the HR Division of the AOC the "Employee Acknowledgement" signature page confirming receipt of this policy.

Subject: **DRUG-FREE WORKPLACE POLICY**

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- XII. Federal, State and Local Laws – Where this policy differs from federal, state or local laws, this policy will conform to those laws as the AOC's Legal Department may advise.
 - XIII. Review and Revision – The AOC reserves the right to rescind and/or amend this policy and all Organization policies at any time.
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Subject: **DRUG-FREE WORKPLACE POLICY**

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DRUG TEST CONSENT FORM (#PERS-61)

UNIFIED JUDICIAL SYSTEM

EMPLOYER: *State the objective facts giving rise to the belief that the employee listed is believed to be under the influence of alcohol or other drugs:*

(EMPLOYER - PRINT OR TYPE FULL NAME)

(EMPLOYER SIGNATURE)

(DATE)

I, _____, pursuant to a request by my appointing authority or as a condition of employment with the Unified Judicial System (UJS), hereby give my consent to be drug tested as deemed necessary to determine the absence or the presence of alcohol and/or drugs **(Employer: check all applicable)** in my ☐ urine, ☐ blood, or ☐ breath as specified by the Drug-Free Workplace Policy.

I give my consent to release the results of the test(s) and other related medical information from the entity conducting the drug test to individuals with the UJS who, pursuant to the Drug-Free Workplace Policy, have a need to know of the results and the use of such reports or other medical information in its assessment of my application and/or employment status. I understand the results of the test may not be used in any criminal proceeding.

I am currently taking or have taken within the last two months the following medications:

(Include prescriptions, over-the-counter medications, diet aids, vitamins, etc. or write **NONE** if appropriate.)

I understand that:

The appointing authority may request proof that I am taking a controlled substance as directed pursuant to a lawful prescription in my name, I must provide such proof within 72 hours.

I have to request a re-test of the original specimen at a licensed laboratory of my choice when I have a positive test. All requests for a re-test must be made in writing to the administrator within five (5) working days of the receipt of the original positive test results. I understand that I am personally responsible for any fees resulting from a retest.

A positive test or my refusal to authorize the test(s) by signing this form, take the specified test(s), or produce a specimen may result in the following action:

Applicants - rejection of my employment application for a period of two years.

Subject: **DRUG-FREE WORKPLACE POLICY**

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PERS-61 Cont'd

Employees – referral to an Employee Assistance Program and/or disciplinary action up to and including termination.

Applicant/Employee Signature

Date

Supervisor's Signature if employee refuses to sign

Date

Witness Signature if employee refuses to sign

Date

APPENDIX G

Subject: **USER INFORMATION SYSTEM USAGE POLICY**

- I. General Statement – The Unified Judicial System (UJS) serves the people of Alabama through thousands of employees located in offices and courthouses throughout the State. The UJS is called upon to deliver more efficient services to a growing population that rightfully expects ever-increasing improvements in service. By utilizing modern information technology such as computers, the internet, and e-mail, the UJS can serve the citizens of Alabama more efficiently.

Taxpayers have the right to depend on their government to manage their tax dollars wisely and effectively. Public confidence in the productiveness of government is increased when members of the public are confident that their government is well managed and assets are used appropriately. UJS employees are expected to follow rules and regulations and to be responsible for their own personal and professional conduct. By following these mandatory guidelines and policies, UJS employees and users of UJS computer equipment and services can assure that their actions are responsible.

The UJS recognizes employees and officials as responsible individuals who are the key to making government more responsive to its citizens. These policies and guidelines establish additional responsibilities for UJS employees and officials when utilizing such technology. They allow employees to use government office equipment for non-governmental purposes when such use involves minimal additional expense to the government, is performed on the employee's non-work time, does not interfere with the mission or operations of a department or agency and does not violate the State ethics laws, other law, or other personnel policies and guidelines. The guidelines and policies below also inform JS employees and users of UJS computer equipment and services that any expectation of privacy is waived by using any such equipment or services.

- II. Scope

These policies and guidelines apply to all UJS officials, employees, and individuals and organizations conducting business for and on behalf of the UJS and Administrative Office of Courts (AOC) through contractual relationships when using JS resources. They also apply to all individuals utilizing UJS computer equipment, internet services, and e-mail systems. The policies and guidelines apply to teleworking, travel and other off-site locations as well as all of the office locations of the UJS. They do not supersede any other applicable law or higher level agency directive or policy guidance. UJS department heads and office managers shall apply these policies and guidelines not just to UJS employees, but also to contractor personnel, interns, and other non-government individuals through incorporation by reference in contracts or memorandums of agreement as conditions for using UJS provided resources.

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III. Purpose

The purpose of these policies and guidelines is to:

- Ensure UJS employees and other individuals utilizing UJS computer equipment, internet services, and e-mail system are informed about the applicability of policies, guidelines, and laws.
 - Ensure users are aware of what UJS deems as acceptable and unacceptable use of its computer equipment, internet services, and e-mail system.
 - Ensure computer, internet, and e-mail services are used in compliance with those policies, guidelines, and laws.
 - Specify potential sanctions that may be imposed as a result of a user's failure to follow the policies and guidelines set forth herein.
 - Specify how instances of misuse will be investigated and prosecuted where applicable.
 - Specify that UJS employees and users of UJS computer equipment, internet services, and e-mail systems cannot have a reasonable expectation of privacy with regard to electronic communications or activity.
- A. UJS Information Systems are in place to facilitate your ability to perform your job efficiently and productively. These systems are solely for that purpose. Only "incidental personal use" as stated in this policy, which does not interfere with work or use Alabama resources, shall be allowed.
- B. The AOC may intercept and monitor communications on its Information Systems for purposes including, but not limited to, penetration testing, communications security, network operations, network defense, personnel misconduct, and law enforcement investigations.
- C. At anytime, the AOC may access, inspect, and seize data stored, relayed, or transmitted on its Information Systems. Communications using or data stored on AOC systems are not private are subject to monitoring, interception, access, search, and may be disclosed or used for any authorized purposes.
- D. The AOC purchases and licenses the use of various computer software programs for official purposes. Unless authorized by the software developer, the AOC does not have the right to reproduce such software for use on more than one computer. Employees may only use software on Information Systems according to the software license agreement. Illegal duplication of software and its related documentation for personal use is also prohibited.

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- E. The downloading or installation of freeware or shareware is prohibited. These programs often hide malicious code and create an unacceptable security risk. All software installations shall be done by the IT department and only after a risk has been determined to be non-existent by the IT Section and approved by the IT Director of the AOC.
 - F. E-mail is provided by the AOC to enhance communications. Employees shall ensure that information contained within email messages and other transmissions is legal, accurate, appropriate, and ethical. Jokes, chain letters, spam, etc., take up valuable bandwidth, slow down system resources, and allow the easy spread of viruses, worms, and Trojan horses.
 - G. Internet access is provided by the AOC to grant access to information required for official use. Employees shall not use AOC Information Systems for personal financial gain (except to monitor retirement plans). Prohibited activities include but are not limited to, commercial activities, purchasing of personal items, pornographic sites, gaming sites, auction sites and gambling sites.
 - H. Copyright, Patent, and Trademark information shall be identified and marked as required by law.
 - I. Passwords are unique to each individual and are critical for access controls and user authentication. It is strictly prohibited for individuals to divulge their passwords to anyone to include supervisors and IT personnel. Furthermore, users are prohibited from obtaining or attempting to obtain another individual's password or logon credentials. Users shall notify IT Security if someone has or suspects someone has attempted to logon with their credentials. Users shall also contact the IT Helpdesk to have their password reset if it is compromised.
 - J. Blog and chat sites pose a high security risk, as well as an operational security risk. Therefore, all chat and blog sites are prohibited on AOC Information Systems. Exceptions to this policy are professional blog and chat sites that have had a security risk assessment accomplished by IT Security and approved by the IT Director of the AOC.
 - K. Portable Devices offer mobility and greater flexibility than standard systems; however, they also present unique security issues. All AOC owned portable devices shall have usernames/passwords established for access controls and authentication purposes. The systems shall have a screen saver/lockout feature that activates after five minutes of inactivity. Also, all data storage drives shall use approved encryption protocols. Users shall report lost or stolen portable devices to the IT Department immediately. Furthermore, employees shall obtain supervisor permission prior to removing any data or information system devices from AOC facilities. All data and devices shall be inventoried prior to removal.

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- L. Devices that are not purchased or owned by the AOC or the UJS are prohibited and shall not be connected to the UJS network. Devices include, but are not limited to, hubs, switches, portable hard drives, thumb drives, notebooks, Palm Pilots, etc. Any non-UJS device that is found attached to UJS Information Systems shall be confiscated by the IT Department. The item shall be held and not returned to the user until a security threat analysis is completed by IT Security and approved by the IT Director.
 - M. Confidential Documents include personal medical data, personal protected information, privileged court documents, etc. These documents are protected under privacy laws and are not to be released to the public. When documents are emailed outside of the UJS network, the AOC is still legally liable; however, the State cannot guarantee proper protection mechanisms. Therefore, confidential documents shall not be emailed outside of the UJS Information Systems (to include home) without authorization from the IT Director.
 - N. Users shall not tamper, alter, or attempt to alter any Information System configuration setting, device, or security mechanism. This includes, but is not limited to, attempting to bypass password/logon systems, screen saver lockout devices, editing or deleting of audit logs, interfering with or disabling of encryption devices/software, etc.
 - O. As indicated in this policy, Information Systems, email, and Internet access are reserved for work related activities. Occasional personal use is permitted within the following guidelines: Emailing short messages to family members and friends, personal banking needs, retirement accounts (RSA, 401, etc), and browsing of news and weather sites are acceptable personal use activities.
 - P. Personnel requiring specific exceptions to this policy may request a waiver from the IT Director in writing. The waiver request should include the specific paragraph(s) that the waiver is intended, the justification for the waiver, and the duration of the requested waiver. The IT Director shall approve or disapprove each waiver request on a case by case basis.
 - Q. The IT Department recognizes that occasionally Judges, District Attorneys, probation officers, etc., may require access to prohibited sites for investigations and research for on-going cases. For IT needs to support on-going investigations, contact the IT Director.

Subject: **USER INFORMATION SYSTEM USAGE POLICY**

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R. Your consent to and compliance with these Information System policies is a term and condition of use of UJS Information Systems. Failure to abide by these policies or failure to consent to any interception, monitoring, copying, reviewing, and downloading of any communications or files is grounds for removal from the UJS network as a user.

- IV. Distribution of Policy - This policy will be communicated and issued to all Administrative Office of Courts officials, administrators, managers, and employees.
- V. Federal, State and Local Laws – Where this policy differs from federal, state or local laws, this policy will conform to those laws as the AOC's Legal Department may advise.
- VI. Review and Revision – The AOC reserves the right to rescind and/or amend this policy and all Organization policies at any time.

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ACKNOWLEDGEMENT

USER INFORMATION SYSTEM USAGE POLICY

Revision Date of Policy: September 23, 2009

I acknowledge receipt of the User Information System Usage Policy and will abide by its guidelines as part of my employment and continued employment with the Administrative Office of Courts. I also acknowledge that this signed document will be placed in my personnel file.

Employee's Printed Name

Date

Employee's Signature